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January 15, 2021

via mail and email

Commissioner Steven Paré, Commissioner of Public Safety  
Col. Hugh Clements, Jr., Chief of Police  
Providence Public Safety Complex  
325 Washington Street  
Providence, RI 02903

Dear Commissioner Paré and Chief Clements:

I am writing in response to information that was disclosed in the recent news conferences held by the Attorney General and the City regarding the results of the investigation into the Jhamal Gonsalves moped crash.

First, we appreciate both the apparent thoroughness with which the matter was investigated by municipal and state officials and the efforts that were made at the news conferences to promote transparency in the process. But as with the last major public review of alleged Providence police misconduct – the recent investigation of the assault charge against Sgt. Joseph Hanley – an extremely important issue has come to the fore that deserves much greater attention than is being given.

That issue is the failure of Providence police officers to activate their body-worn cameras in situations requiring their usage. It is clear to us that this is a persistent problem, and one that severely undermines the transparency the Department is seeking to promote. We believe it is incumbent upon the City to ensure stronger compliance with this extremely critical obligation.

I know I don't have to explain the potential importance of police body camera footage, especially in situations where a police response to an incident generates public scrutiny. Yet, it is clear beyond doubt that, whether deliberately or not, too many police officers too frequently fail to turn on their cameras when dealing with the public. As you are aware, such a failure is in direct violation of Departmental policy.

In response to an Access to Public Records Act request we filed on this subject last year, we learned that twenty (20) Providence officers were disciplined for failing to activate their body cameras between January 2018 and June 2020. While 20 violations over a two-and-a-half-year period certainly seems small, it is only because, we are convinced, the Department's audit process for ensuring compliance is extremely lacking.

I say this because there have been three highly publicized incidents of alleged police misconduct in the City this past year, and in each instance police officers failed to activate their cameras:

\* According to the report issued by the Providence External Review Authority about the pending assault case involving Sgt. Joseph Hanley, two of the three officers on the scene of the incident, including Sgt. Hanley, did not record their encounter with the suspect.

\* In another highly publicized incident in June, one of two officers involved in a controversial guns-drawn encounter with a Black firefighter in front of his fire station failed to activate his camera.

\* Most recently, of course, we learned that three of the officers who responded to the Gonsalves crash failed to activate their body cameras.

As best as we can tell, in every one of these instances, as well as those we received information about from our APRA request, no officer received anything more than a verbal reprimand for this blatant violation of departmental policy.

The police department's decision to have its officers wear body cameras four years ago was designed to promote transparency and accountability. Yet these three recent incidents, when compared to the results of our APRA request, tell a different story. The body camera policy is regularly flouted, violations are rarely punished, and the transparency these cameras are supposed to provide the public is undermined.

It has been over three years since the Providence police were involved in the alarming shootout that took place on I-95 near the Providence Place Mall. Of three Providence officers present for that shooting and equipped with body cameras, only one of the cameras was activated. At the time, this was excused in light of the newness of the cameras and the learning curve taking place for officers to remember the need to turn them on. But this is no longer experimental technology, and the time for excuses has long since passed.

We urge you to take all appropriate action to ensure compliance with Departmental policy on the use of the cameras and further request that you engage in a more vigorous audit process to that end, so that officers are appropriately held accountable for violations of this important policy.

Thank you for your consideration of these concerns.

Sincerely,

Steven Brown  
Executive Director

cc: The Hon. Jorge Elorza  
The Hon. Sabina Matos  
Nick Figueroa